

**HEARING DATE AND TIME: JULY 22, 2010 AT 9:00 A.M. (EASTERN)**  
**OBJECTION DEADLINE: JUNE 7, 2010 AT 5:00 P.M. (EASTERN)**

STITES & HARBISON PLLC  
Robert C. Goodrich Jr. (TN 10454)  
Madison L. Martin (TN 24027)  
401 Commerce Street, Suite 800  
Nashville, TN 37219  
Tel: (615) 244-5200  
Fax: (615) 782-2371  
Email: [robert.goodrich@stites.com](mailto:robert.goodrich@stites.com)  
[madison.martin@stites.com](mailto:madison.martin@stites.com)

-and-

John A. Bicks (JB 3496)  
SONNENSCHN NATH & ROSENTHAL LLP  
1221 Avenue of the Americas  
New York, New York 10020-1089  
Tel: (212) 768-6700  
Fax: (212) 768-6800

*Attorneys for Setech, Inc.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
IN RE:	:	Chapter 11
	:	
DPH HOLDINGS CORP., <i>et al.</i> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
-----	X	
DPH HOLDINGS CORP., <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	Adv. Pro. No. 07-02619 (RDD)
	:	
Against	:	
	:	
SETECH INC. and SETECH,	:	
	:	
Defendants.	:	
-----	X	

**NOTICE OF SETECH, INC.'S MOTION TO VACATE AND TO DISMISS<sup>1</sup>**

**PLEASE TAKE NOTICE** that upon the annexed *Setech, Inc.'s Motion to Vacate and to Dismiss* (the “**Motion**”), the Declaration of Richard M. Eddinger dated May 12, 2010 (the “**Eddinger Declaration**”), the exhibits to the Eddinger Declaration, and the points and authorities contained in the Motion submitted herewith; the Summons and Complaint, and upon all the papers and proceedings previously had herein, Defendant Setech, Inc., by its undersigned counsel, shall move this Court before the Honorable Robert D. Drain, United States Bankruptcy Judge, United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601, on July 22, 2010 at 9:00 a.m. or such other date and time as soon thereafter as the Court may direct, for an Order (i) vacating the prior Extension Orders (as defined in the Motion) and (ii) dismissing the above-captioned adversary proceeding with prejudice.

**PLEASE TAKE FURTHER NOTICE** that answering papers, if any, in opposition to the relief requested shall be filed with the Court and served upon the undersigned counsel no later than June 7, 2010 at 5:00 p.m. (the “**Opposition Deadline**”).

**PLEASE TAKE FURTHER NOTICE** that responses or objections, if any, to the Motion and the relief requested therein must be made in writing, conform to the Bankruptcy Rules and the Local Bankruptcy Rules for the Bankruptcy Court, and be filed with the Bankruptcy Court electronically in accordance with General Order M-242 (General Order M-242 and the User's Manual for the Electronic Case Filing System which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Bankruptcy Court), by registered users of the Bankruptcy Court's case filing system and, by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format and shall be served in accordance with General Order M-242, with a courtesy copy delivered to the Chambers of the Honorable Robert D. Drain, United States Bankruptcy

---

<sup>1</sup> This Motion is filed in both the main case and in the Adversary Proceeding because the relief requested herein applies to both the contested matters and the Adversary Proceeding matters as they relate to the Extension Orders (defined in the Memorandum in Support of the Motion).

Judge, and served on the undersigned in accordance with General Order M-182, so as to be received no later than the Opposition Deadline.

Date: May 14, 2010

Respectfully submitted,

/s/ Robert C. Goodrich Jr.

Robert C. Goodrich Jr. (TN ID No. 10454)

Madison L. Martin (TN ID No. 24027)

STITES & HARBISON PLLC

401 Commerce Street, Suite 800

Nashville, TN 37219

(615) 244-5200 Fax: (615) 782-2371

Email: [robert.goodrich@stites.com](mailto:robert.goodrich@stites.com)

-and-

SONNENSCHN NATH & ROSENTHAL LLP

John A. Bicks (JB 3496)

1221 Avenue of the Americas

New York, New York 10020

212) 768-6700 Fax: (212) 768-6800

*Attorneys for Setech, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 14, 2010, the foregoing *Notice of Motion, Setech, Inc.'s Motion to Vacate and to Dismiss and Declaration of Richard M. Eddinger* was electronically filed through the Court's CM/ECF system and served upon the following persons in the manner indicated:

- i. Electronic service upon all Filing Users accepting Notice of Electronic Filing; and
- ii. Overnight courier service to the persons included on the attached Service List.

/s/ Jinjue Pak  
Jinjue Pak

Service List

Cynthia J. Haffey  
Butzel Long  
150 W. Jefferson Avenue  
Suite 100  
Detroit, MI 48226

Barry N. Seidel  
Eric Fisher  
Butzel Long, a professional  
corporation  
380 Madison Avenue  
22nd Floor  
New York, NY 10017

Caroline Rogus  
WilmerHale, LLP  
1875 Pennsylvania Avenue,  
NW  
Washington, DC 20006

David S. Rosner  
Kasowitz, Benson, Torres &  
Friedman LLP  
1633 Broadway  
New York, NY 10119-6022

Dennis J. Connolly  
Alston & Bird LLP  
1201 West Peachtree Street  
Atlanta, GA 30309-3424

Douglas P. Bartner  
Shearman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022-6069

Jessica Kastin  
O'Melveny & Myers  
7 Times Square  
New York, NY 10036

John Wm. Butler, Jr.  
Skadden Arps Slate Meagher &  
Flom LLP  
155 North Wacker Drive  
Suite 2700  
Chicago, IL 60606-1720

Kayalyn A. Marafioti  
Skadden, Arps, Slate, Meagher  
& Flom LLP  
Four Times Square  
New York, NY 10036

Mark S. Lichtenstein  
Crowell & Moring LLP  
590 Madison Avenue  
20th Fl  
New York, NY 10022

Mateo Fowler  
Quinn Emanuel Urquhardt  
Oliver & Hedges  
865 S. Figueroa Street  
10th Floor  
Los Angeles, CA 90017

Michael O'Hayer  
22 North Walnut Street  
West Chester, PA 19380

Paul J.N. Roy  
Mayer, Brown, LLP  
71 S. Wacker Drive  
Chicago, IL 60606

Barnes & Thornburg LLP  
Peter A. Clark  
One North Wacker Drive  
Suite 4400  
Chicago, IL 60606-2833

Brown Rudnick Berlack Israels  
LLP  
Robert J. Stark  
Seven Times Square  
New York, NY 10036

Cohen, Weiss & Simon  
Bruce Simon  
330 W. 42nd Street  
New York, NY 10036

Curtis, Mallet-Prevost, Colt &  
Mosle LLP  
Steven J. Reisman  
101 Park Avenue  
New York, NY 10178-0061

Davis, Polk & Wardwell LLP  
Donald Bernstein  
Brian Resnick  
450 Lexington Avenue  
New York, NY 10017

Delphi Automotive LLP  
Sean Corcoran, Karen Craft  
5725 Delphi Drive  
Troy, MI 48098

DPH Holdings Corp.  
John Brooks  
5725 Delphi Drive  
Troy, MI 48098

Flextronics International  
Carrie L. Schiff  
305 Interlocken Parkway  
Broomfield, CO 80021

Flextronics International USA,  
Inc.  
Paul W. Anderson  
2090 Fortune Drive  
San Jose, CA 95131

Fried, Frank, Harris, Shriver &  
Jacobson  
Brad Eric Sheler  
Bonnie Steingart  
Jennifer L Rodburg  
Richard J Slivinski  
One New York Plaza  
New York, NY 10004

FTI Consulting, Inc.  
Randall S. Eisenberg  
3 Times Square  
11th Floor  
New York, NY 10036

Groom Law Group  
Lonie A. Hassel  
1701 Pennsylvania Avenue,  
NW  
Washington, DC 20006

Hodgson Russ LLP  
Garry M. Graber  
60 East 42nd St  
37th Floor  
New York, NY 10165-0150

Honigman Miller Schwartz and  
Cohn LLP  
Frank L. Gorman, Esq.  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226-3583

Honigman Miller Schwartz and  
Cohn LLP  
Robert B. Weiss, Esq.  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226-3583

Internal Revenue Service  
Attn: Insolvency Department  
477 Michigan Ave  
Mail Stop 15  
Detroit, MI 48226

Internal Revenue Service  
Attn: Insolvency Department,  
Maria Valerio  
290 Broadway  
5th Floor  
New York, NY 10007

Jefferies & Company, Inc.,  
William Q. Derrough  
520 Madison Avenue  
12th Floor  
New York, NY 10022

JPMorgan Chase Bank, N.A.  
Richard Duker  
270 Park Avenue  
New York, NY 10017

JPMorgan Chase Bank, N.A.  
Susan Atkins, Gianni Russello  
277 Park Ave 8th Fl  
New York, NY 10172

Kramer Levin Naftalis &  
Frankel LLP  
Gordon Z. Novod  
1177 Avenue of the Americas  
New York, NY 10036

Kramer Levin Naftalis &  
Frankel LLP  
Thomas Moers Mayer  
1177 Avenue of the Americas  
New York, NY 10036

Kurtzman Carson Consultants  
Sheryl Betance  
2335 Alaska Ave  
El Segundo, CA 90245

Law Debenture Trust of New  
York  
Daniel R. Fisher  
400 Madison Ave  
Fourth Floor  
New York, NY 10017

Law Debenture Trust of New  
York  
Patrick J. Healy  
400 Madison Ave  
Fourth Floor  
New York, NY 10017

McDermott Will & Emery LLP  
David D. Cleary  
227 West Monroe Street  
Suite 5400  
Chicago, IL 60606

McDermott Will & Emery LLP  
Jason J. DeJonker  
227 West Monroe Street  
Suite 5400  
Chicago, IL 60606

McDermott Will & Emery LLP  
Mohsin N. Khambati  
227 West Monroe Street  
Suite 5400  
Chicago, IL 60606

McTigue Law Firm  
Cornish F. Hitchcock  
5301 Wisconsin Ave. N.W.  
Suite 350  
Washington, DC 20015

McTigue Law Firm  
J. Brian McTigue  
5301 Wisconsin Ave. N.W.  
Suite 350  
Washington, DC 20015

Mesirow Financial  
Leon Szelezingier  
666 Third Ave  
21st Floor  
New York, NY 10017

Milbank Tweed Hadley &  
McCloy LLP  
Gregory A Bray Esq  
Thomas R Kreller Esq  
James E Till Esq  
601 South Figueroa Street  
30th Floor  
Los Angeles, CA 90017

New York State Office of  
Attorney General  
Eugene J. Leff  
Assistant Attorney General &  
Deputy Bureau Chief  
120 Broadway, 26th Floor  
New York, NY 10271

Northeast Regional Office  
Mark Schonfeld, Regional  
Director  
3 World Financial Center  
Room 4300  
New York, NY 10281

Office of New York State  
Attorney General Eliot Spitzer  
120 Broadway  
New York City, NY 10271

O'Melveny & Myers LLP  
Robert Siegel  
400 South Hope Street  
Los Angeles, CA 90071

O'Melveny & Myers LLP  
Tom A. Jerman, Rachel Janger  
1625 Eye Street, NW  
Washington, DC 20006

Paul, Weiss, Rifkind, Wharton  
& Garrison LLP  
Stephen J. Shimshak  
Philip A Weintraub  
1285 Avenue of the Americas  
New York, NY 10019-6064

Pension Benefit Guaranty  
Corporation  
Israel Goldowitz  
1200 K Street, N.W.  
Suite 340  
Washington, DC 20005-4026

Pension Benefit Guaranty  
Corporation  
Karen L. Morris  
John Menke  
Ralph L. Landy  
Beth A. Bangert  
1200 K Street, N.W.  
Suite 340  
Washington, DC 20005

Phillips Nizer LLP  
Sandra A. Riemer  
666 Fifth Avenue  
New York, NY 10103

Rothchild Inc.  
David L. Resnick  
1251 Avenue of the Americas  
New York, NY 10020

Seyfarth Shaw LLP  
Robert W. Dremluk  
620 Eighth Ave  
New York, NY 10018-1405

Shearman & Sterling LLP  
Douglas Bartner, Jill Frizzley  
599 Lexington Avenue  
New York, NY 10022

Skadden, Arps, Slate, Meagher  
& Flom LLP  
John Wm. Butler  
John K. Lyons  
Ron E. Meisler  
155 N Wacker Drive  
Suite 2700  
Chicago, IL 60606-1720

Skadden, Arps, Slate, Meagher  
& Flom LLP  
Kayalyn A. Marafioti  
4 Times Square  
P.O. Box 300  
New York, NY 10036

Spencer Fane Britt & Browne  
LLP  
Daniel D. Doyle  
1 North Brentwood Boulevard  
Tenth Floor  
St. Louis, MO 63105

Spencer Fane Britt & Browne  
LLP  
Nicholas Franke  
1 North Brentwood Boulevard  
Tenth Floor  
St. Louis, MO 63105

Stahl Cowen Crowley Addis  
LLC  
Jon D. Cohen, Trent P. Cornell  
55 West Monroe Street  
Suite 1200  
Chicago, IL 60603

Stevens & Lee, P.C.  
Chester B. Salomon,  
Constantine D. Pourakis  
485 Madison Avenue  
20th Floor  
New York, NY 10022

Togut, Segal & Segal LLP  
Albert Togut  
One Penn Plaza  
Suite 3335  
New York, NY 10119

United States Trustee  
Brian Masumoto  
33 Whitehall Street  
21st Floor  
New York, NY 10004-2112

Weil, Gotshal & Manges LLP  
Harvey R. Miller  
767 Fifth Avenue  
New York, NY 10153

Weil, Gotshal &  
Manges LLP  
Jeffrey L. Tanenbaum, Esq.  
767 Fifth Avenue  
New York, NY 10153

Weil, Gotshal & Manges LLP  
Martin J. Bienenstock, Esq.  
767 Fifth Avenue  
New York, NY 10153

Weil, Gotshal & Manges LLP  
Michael P. Kessler, Esq.  
767 Fifth Avenue  
New York, NY 10153

Wilmington Trust Company  
Steven M. Cimalore  
Rodney Square North  
1100 North Market Street  
Wilmington, DE 1989